



**M E M O R A N D U M**

**TO:** Terry Martino  
**FROM:** Brian Grisi  
**DATE:** February 4, 2015  
**RE:** Local Government Services Program Report,  
January 2015

**I. Program Highlights**

**A. Approved Local Land Use Programs**

- **Johnsburg** - Agency Local Government Services staff met with the Town of Johnsburg zoning officials and an applicant to discuss a proposed project involving the transfer of building density from one parcel to another. Staff also met the new Zoning Clerk and had discussions about the Town's Agency-approved local land use program, its administration, and conferred on other projects before the planning and zoning boards. The Town has administered an Agency-approved local land use program since 2007.

**B. Outreach**

- **Adirondack Park Local Government Review Board** - Agency LGS staff attended the January Local Government Review Board meeting and afterwards staff met with representatives of the Review Board, Adirondack, Association of Towns and Villages, and the Adirondack Partnership to finalize a preliminary agenda for the April 15-16, 2015, Adirondack Park Local Government Conference.
- **Adirondack Park Local Government Conference** - Agency LGS staff prepared and distributed the Adirondack Park Local Government Conference registration packet to municipal officials and interested organizations. The conference information is also posted on the Agency website for easy retrieval. The Conference will be Wednesday-Thursday, April 15-16, 2015 in Lake Placid.

- **Annual update of contact information for municipal officials** - Agency LGS staff completed an update of contact information for town and village officials in the Park. Most of the information was collected from postings on the individual municipal websites. The annual update insures the Agency maintains an accurate database of local officials and correct contact information for both regulatory and informational purposes. The contact information is used by all divisions at the Agency and is made available to other State agencies as needed.
- **Saratoga County Planning and Zoning Conference** - Agency LGS and legal staff presented a training session on "APA Permitting Procedures and Requirements" at the Saratoga County Planning and Zoning Conference. The training provided information on the basics of APA jurisdiction, permitting procedures, and coordination between APA and other agencies and municipalities. The presentation was part of a panel discussion on "How To Partner Effectively with State Agencies" and included representatives from the NYS Department of Health; NYS Department of Environmental Conservation; and NYS Department of Transportation

## II. Referrals from Towns with Approved Local Land Use Programs

### A. Amendments

- **Arietta** - The Town of Arietta submitted a second draft version of the revised Town zoning law for informal review in August 2014. It will result in a complete repeal and replacement of the existing local law. Staff continue to provide guidance to the Town on specific elements of the proposed local law. Status: No additional activity.
- **Bolton** - The Town of Bolton submitted a new draft version of its zoning law last year for informal review. It will result in a complete repeal and replacement of the existing local law. Agency planning and legal staff provided review comments to the Town and met with Town officials and consultants to discuss review comments. Consultants for the Town are revising the document and continue to seek guidance from staff on elements of the approved local land use program requirements. Status: No additional activity.

- **Caroga** - The Town of Caroga submitted several chapters of a revised zoning law for informal review. The Planning Board is working with the Fulton County Planning Office to prepare the document. Staff met with Town and County officials in March 2014 to discuss the requirements and provisions of an Agency-approved local land use program. Staff continue to provide guidance to the Town on specific elements of the proposed local law. Status: No additional activity.
- **Colton** - The Town of Colton is completing a working draft to revise its zoning and subdivision laws. Staff met with the Town Supervisor in August 2014 to discuss the status of the amendment. Status: No additional activity.
- **Edinburg** - The Town of Edinburg submitted a draft revised zoning and subdivision law for informal review in September 2014. It addresses temporary and transient uses and also corrects typographic errors in the existing zoning document. Staff provided review comments to the Town and met with the planning committee to discuss the amendments. Status: No additional activity.
- **Horicon** - The Town of Horicon submitted draft revised zoning and subdivision laws for informal review. The changes will result in a near-complete repeal and replacement of the existing laws. Agency planning staff met with Town of Horicon Town Supervisor, Town Clerk and Zoning Administrator on several occasions to discuss the proposed local laws and provided a review draft for the Town to consider in June 2014. Status: Staff continue to provide guidance on specific elements of the proposed local law.
- **Johnsburg** - The Town of Johnsburg submitted draft amendments for informal review and a notice of Lead Agency for SEQR. The Town proposes to revise the definition of "lot;" create a simplified process for a minor boundary line adjustment; allow the inclusion of wetland acreage in calculating overall intensity for new subdivisions; and modify the number of copies of application materials required. Staff met with the Town Supervisor in August 2014 to discuss the status of the amendment. Status: No additional activity.
- **Lake George** - The Town of Lake George submitted several new and revised draft amendments for informal review. Chapter 134 - Sewage and Chapter 135 - Erosion, Sedimentation, and Stormwater have been revised to include APA staff review comments from in the Spring of

2014. New proposed amendments on Tree Removal and Land Clearing, several revised definitions, and Chapter 180 - Consolidated Health Regulations were also received for review. Staff met with Town officials and provided informal comments on the amendments. The Town held a public hearing on the amendments and is revising the draft amendments to incorporate public comments. Status: No additional activity.

- **Westport** - The Town of Westport submitted a draft zoning law and revisions to its existing subdivision law for informal review. The changes to the zoning law will result in a complete repeal and replacement of the existing zoning law. Staff provided informal review comments and suggestions and met with Town officials to review the proposed zoning law amendment. The Town also submitted a draft PUD proposal that provides an innovative approach for Hamlet expansion. Status: No additional activity.
- **Willsboro** - The Town of Willsboro submitted a draft zoning law for informal review. It will result in a complete repeal and replacement of the existing law. Agency staff and Town officials met on several occasions to discuss the program amendments and provided review comments to the Town on the proposed draft. Status: No additional activity.

The Town of Willsboro also submitted a draft sanitary law for informal review. Staff provided Town officials review comments on the proposed local law to supplement the Town's submittal. Staff also convened an internal meeting to discuss Agency policy relating to standards and requirements contained in program sanitary laws. Status: No additional activity.

## **B. Variances (5)**

- **Chester** (1) - Staff reviewed one variance referred by the Town.
  - o Project [LV2015-0003] involved the replacement of a septic system. The project was in an area designated Hamlet on the Adirondack Park Land Use and Development Map and no further Agency review was required for this variance. It was noted that there was a potential for wetland impacts and the applicant was advised to obtain a jurisdictional determination prior to construction.

- **Edinburg** (2) - Staff reviewed two variances referred by the Town.
  - Project [LV2014-0065] involved the construction of a garage. Relief was required from the Town 10-foot side yard setback. No further Agency review was required since the project did not involve provisions of the Adirondack Park Agency Act.
  - Project [LV2014-0074] involved the placement of an 854 square foot mobile home on the property. Relief was requires from the Town 1250 minimum square footage for principal structure. No Agency review was required as the Town denied the variance request.
  
- **Queensbury** (1) - Staff reviewed one variance from the Town.
  - Project [LV2015-0002] involved the construction of a 2,040 square foot single family dwelling with an attached 660 square foot garage. Relief was required from the Town 100-foot front yard setback, 75-foot travel corridor setback and 75-foot side yard setback. It was noted that the new dwelling was in the approximate area of an existing non-conforming single family dwelling that had been removed. No further Agency review was required since the project did not involve provisions of the Adirondack Park Agency Act.
  
- **Willsboro** (1) - Staff reviewed one variance referred by the Town.
  - Project [LV2015-0001] involved the construction of a 24 x 24 foot addition to an existing single family dwelling. Relief was required from the Town 40-foot side yard setback. No further Agency review was required since the project did not involve provisions of the Adirondack Park Agency Act.

### III. Correspondence and Consultations

- **Bolton** - Staff provided the Town guidance for a proposed commercial use in a residential district.
  
- **Caroga** - Staff provided the Town jurisdictional information for a proposed subdivision involving wetlands, the contractual access to docks, and a change to a variance granted involving a two-foot height revision.
  
- **Chester** - Staff provided the Town jurisdictional information for a proposed septic system.

- **Hague** - Staff provided the Town jurisdictional information for a proposed boat storage facility involving a subdivision, a proposed contractual shoreline access lot, a variance application involving multiple structures.
- **Horicon** - Staff provided the Town jurisdictional information for a prior APA permitted subdivision involving wetlands.
- **Johnsburg** - Staff provided the Town jurisdictional information for a proposed municipal photovoltaic solar array in a Hamlet land use area, a proposed septic system, options to revise the subdivision law to address road standard requirements, and an advisory opinion for a proposed subdivision into sites.
- **Lake Luzerne** - Staff provided the Town jurisdictional information for a proposed re-build of a camp within a river area.
- **Queensbury** - Staff provided the Town an advisory opinion for a proposed project within the shoreline setback area.
- **Thurman** - Staff provided the jurisdictional information for a proposed subdivision.
- **Willsboro** - Staff provided the Town jurisdictional information for a proposed subdivision involving wetlands, and an agricultural use structure in a Hamlet Land use area.
- **Wilmington** - Staff consult with the Town on issues related to road deicing alternatives.

**VI. Summary Table**

<b>Summary of Local Planning Unit Program Accomplishments January 2015</b>				
<b>Reportable Items</b>	<b>Municipalities</b>		<b>Month Total</b>	<b>Year to Date</b>
	<b>ALLUP</b>	<b>Other</b>		
Towns/Villages/Counties consulted in the reporting month	10	3	13	13
Land use regulations consulted/reviewed	2	0	2	2
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	5	--	5	5
ALLUP variances reversed	0	--	0	0
Comprehensive Plans reviewed	0	0	0	0
Meetings with Town officials	2	2	4	4
Responded to land use planning inquiries	28	3	31	31
Planning & Zoning Board actions reviewed	26	0	26	26
Training & Workshops provided	0	1	1	1
County Planning Office collaborations	2	3	5	5
Intra-Agency local planning assistance	6	3	9	9
Inter-Agency Coordination	--	--	9	9
Coordination with Other Regional Organizations	--	--	7	7
	<b><u>Year to Date</u></b>			
<b>Number of the 102 Park municipalities LGS staff have consulted with:</b>	<b>10</b>	<b>3</b>	<b>Total: 13</b>	
<i>ALLUP - denotes "APA-approved local land use program"</i>				

cc: Kathleen Regan  
 Robyn Burgess